

WILMERHALE

January 27, 2014

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**By Email**

Honorable Richard J. Sullivan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

MEMO ENDORSED

Re: *Enzo Biochem, Inc., et al. v. PerkinElmer, Inc., et al.*, No. 03 Civ. 3817 (RJS)

Dear Judge Sullivan:

Reference is made to the Court's Order, dated January 24, 2014 (Dkt. No. 137), which, *inter alia*, granted, in part, Enzo's request for an extension of the deadline for the submission of opening expert reports.


In light of the Court's Order, Defendants PerkinElmer Inc. and PerkinElmer Life Sciences, Inc. (collectively "PerkinElmer") respectfully request a reciprocal extension of two business days, to February 18, for the submission of rebuttal expert reports. This is PerkinElmer's first request for an extension of the deadline for submitting rebuttal expert reports, which are currently due February 14. This extension will preserve the three-week response period afforded PerkinElmer in the Court's November 11, 2013 schedule and will not affect any other scheduled dates. Counsel for PerkinElmer contacted Jeffrey Mann, counsel to Enzo, and Enzo does not oppose this request.

Respectfully submitted,

By: /s/ Robert J. Gunther, Jr.

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cc: Counsel of Record

SO ORDERED  
Date:   
RICHARD J. SULLIVAN  
U.S.D.J.  
1/27/14